IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

-

WRIT PETITION NO : 15166 of 2005

Between:

D. Paravathamma, W/o Peeraiah Naidu, Occ: House wife,
R/o 21-380, D. Venganapalli Village, Chittoor District.

..... PETITIONER

AND

1 The Chittoor Co-operative Town Bank Limited, represented by its Branch Manager,
Santhapet Branch, Chittoor, Chittoor District.
2 The Chittoor Cooperative Town Bank Limited, represented by Sale Officer, Chittoor,
Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue, a Writ order or direction more particularly one in the nature of Writ of Mandamus: declare the action of the respondent in auctioning the petitioner's property bearing H. No. 21-380 D. Venganapalli, Chittoor District which is schedule to be held on 14-7-2005 at 3.00 pm without their being any notice to the petitioner amounts to arbitrary and violative of Articles 14 and 21 the Constitution of India and violative of principles of natural justice and consequently stay the auction schedule is fixed on 14-7-2004 at 3.00 PM by the Sale Officer, Chittoor District Co-op Town Bank Ltd., Chittoor in so far as Loan No. 973, E.P. No. 61/03-04 bearing H. No. 21-380, D Venganapalli, Chittoor District.

Counsel for the Petitioner: MR.T.C.KRISHNAN

Counsel for the Respondents: NONE APPEARED

The Court at the stage of admission made the following:

ORAL ORDER:

The learned counsel for the petitioner submits that the petitioner would file a suit for the relief sought in the Writ Petition and that he may be permitted to withdraw the Writ Petition.

2. Permission granted. Writ Petition is dismissed as withdrawn. However, this order will not preclude the petitioner from seeking such remedies as are available to her in law. No costs.

21.7.2005

SSR

Issue order copy by Monday.

(BO)

To

1 The Chittoor Co-operative Town Bank Limited, represented by its Branch Manager,
Santhapet Branch, Chittoor, Chittoor District.
2 The Chittoor Cooperative Town Bank Limited, represented by Sale Officer, Chittoor,
Chittoor District.

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